

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of

SHARON M. SCHWIETERS

An Officer and a Director of:

**NORTH SIDE FEDERAL SAVINGS
AND LOAN ASSOCIATION OF
CHICAGO
Chicago, Illinois
OTS No. 03468**

Order No. ATL-2005-26

Dated: November 30, 2005

**STIPULATION AND CONSENT TO THE ISSUANCE OF
AN ORDER OF ASSESSMENT OF CIVIL MONEY PENALTY**

WHEREAS, the Office of Thrift Supervision ("OTS"), based upon information derived from the exercise of its regulatory responsibilities, has informed Sharon M. Schwieters ("Respondent"), Treasurer and Director of North Side Federal Savings and Loan Association of Chicago ("North Side Federal"), OTS Docket Number 03468, that grounds exist to assess a civil money penalty against her pursuant to 12 U.S.C. § 1818(i);¹ and

WHEREAS, Respondent desires to cooperate with OTS and to avoid the time and expense of such administrative proceeding by entering into this Stipulation and Consent to the Issuance of an Order of Assessment of Civil Money Penalty ("Stipulation and Consent"); and

¹ All references to the United States Code ("U.S.C.") are as amended, unless otherwise indicated.

WHEREAS, Respondent enters into this Stipulation and Consent: (i) without any adjudication on the merits; (ii) without admitting or denying that grounds exist to initiate cease and desist proceedings or civil money penalty proceedings, except as to Jurisdiction (paragraph 1, below), which is admitted; (iii) without admitting or denying the OTS Findings of Fact (paragraph 2, below); and (iv) solely for the purpose of settling this matter in accordance with Rule 408 of the Federal Rules of Evidence and equivalent state provisions;

NOW, THEREFORE, on these premises, Respondent stipulates and agrees as follows:

1. Jurisdiction. (a) North Side Federal, at all times relevant hereto is a "savings association" within the meaning of 12 U.S.C. § 1813(b). Accordingly, North Side Federal is an "insured depository institution" as that term is defined in 12 U.S.C. § 1813(c);

(b) As an officer and a director of North Side Federal, Respondent is deemed to be an "institution-affiliated party" of North Side Federal, as that term is defined in 12 U.S.C. § 1813(u); and

(c) Pursuant to 12 U.S.C. § 1818(q), the Director of the OTS is the "appropriate Federal banking agency" to maintain an administrative civil money penalty assessment proceeding against institution affiliated parties. Therefore, Respondent is subject to the jurisdiction of OTS to assess a civil money penalty against her pursuant to 12 U.S.C. § 1467a(i)(2) and § 1818(i). The Director of OTS has delegated to the Regional Director of the Southeast Region of OTS or his designee ("Regional Director") the authority to

issue orders of assessment of civil money penalties where the individual has consented to the issuance of the orders.

2. OTS Findings of Fact. OTS finds that:

(a) At all times relevant hereto, Respondent as an officer and director of North Side Federal was subject to 12 CFR § 563.43 which states that the Respondent was also subject to 12 CFR Part 215; and

(b) During various periods from 2003 through June 2005, Respondent violated 12 CFR § 215.4(e) relating to overdrafts by officers and directors.

3. Consent. Respondent consents to the issuance by OTS of the accompanying Order of Assessment of Civil Money Penalty ("Order"). Respondent further agrees to comply with the terms of the Order upon issuance and stipulate that the Order comply with all requirements of law.

4. Finality. The Order is issued under 12 U.S.C. § 1818(i). Upon their issuance by OTS, it shall be a final order, effective and fully enforceable by OTS under the provisions of 12 U.S.C. § 1818(i).

5. Waivers. Respondent waives the following:

(a) The right to be served with a written notice of an assessment of civil money penalty against her as provided by 12 U.S.C. § 1818(i);

(b) The right to an administrative hearing of OTS's charges against her as provided by 12 U.S.C. § 1818(i);

(c) The right to seek judicial review of the Orders, including, without limitation, any such right provided by 12 U.S.C. § 1818(h), or otherwise to challenge the validity of the Order;

(d) Any and all claims against OTS, including its employees and agents, and any other governmental entity for the award of fees, costs or expenses related to this OTS enforcement matter and/or the Orders, whether arising under common law, the Equal Access to Justice Act, 5 U.S.C. § 504, or 28 U.S.C. § 2412; and

(e) The right to assert this proceeding, her consent to issuance of the Order, the issuance of the Order, the payment of any monies or the provision of any other financial relief as contemplated by the Order as the basis for a claim of double jeopardy in any pending or future proceeding brought by the United States Department of Justice or any other governmental entity.

6. Miscellaneous. (a) The construction and validity of this Stipulation and the Order shall be governed by the laws of the United States of America;

(b) All references to OTS in this Stipulation and the Order shall also mean any of OTS's predecessors, successors, and assigns;

(c) The section and paragraph headings in this Stipulation and the Order are for convenience only, and such headings shall not affect the interpretation of this Stipulation or the Order;

(d) The terms of this Stipulation and the Order represent the final written agreement of the parties with respect to the subject matters hereof, and constitute the sole agreement of the parties with respect to such subject matters; and

(e) This Stipulation and the Order shall remain in effect until terminated, modified, or suspended in writing by OTS, or its successor, acting through its Director, Regional Director, or other authorized representative. The Order, however, will terminate automatically on the day following the day on which OTS receives full payment of the penalty assessed by the Order.

WHEREFORE, Respondent and OTS execute this Stipulation and Consent to the Issuance of an Order of Assessment of Civil Money Penalty, intending to be legally bound hereby.

Accepted by:

OFFICE OF THRIFT SUPERVISION

By: /S/
Sharon M. Schwieters

By: /S/
John E. Ryan
Regional Director
Southeast Region

Dated: Nov 22, 2005

Dated: 11/30/05

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Chicago, Illinois

OTS No. 03468

Order No. ATL-2005-26

Dated: November 30, 2005

ORDER OF ASSESSMENT OF CIVIL MONEY PENALTY

WHEREAS, Sharon M. Schwieters ("Respondent") has executed a Stipulation and Consent to the Issuance of an Order of Assessment of Civil Money Penalty ("Stipulation"); and

WHEREAS, Respondent, by her execution of the Stipulation, has consented and agreed to the issuance of this Order of Assessment of Civil Money Penalty ("Order") by the Office of Thrift Supervision ("OTS"), pursuant to 12 U.S.C. § 1818(i)¹.

WHEREAS, the Director of OTS has delegated to the Regional Directors of OTS the authority to issue Orders of Assessment of Civil Money Penalty on behalf of OTS where the individual or entity has consented to the issuance of the Order.

¹ All references to the United States Code ("U.S.C.") are as amended, unless otherwise indicated.

NOW THEREFORE, IT IS ORDERED that:

1. Within ten (10) calendar days of the date of this Order, Respondent shall pay to OTS the sum of \$1,000, by tendering a certified check or bank draft made payable to the order of the Treasurer of the United States. The check or bank draft and a copy of the Order shall be delivered to the Controller's Division, Office of Thrift Supervision, 1700 G Street, N.W., Washington, DC 20552. A copy of the check or bank draft and a copy of Order shall be provided by U.S. Mail to P. Stacy Powers, Special Counsel, Office of Thrift Supervision, 1 S. Wacker Drive, Suite 2000, Chicago, Illinois 60606.

2. The Stipulation is made a part hereof and is incorporated herein by this reference.

3. This Order is and shall become effective on the date it is issued, as shown in the caption hereof. The Stipulation and the Order shall remain in effect until terminated, modified or suspended in writing by OTS, acting through its Director, Regional Director, or other authorized representative. The Order, however will terminate automatically on the day following the day on which OTS receives full payment of the penalty assessed by the Order.

OFFICE OF THRIFT SUPERVISION

By: John E. Ryan
Regional Director
Southeast Region